

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY DOCKET: OP DEN CAMP-1

In re Patent Application of:

Hubertus Johannes Marie OP DEN CAMP *et al.*

Application No.: 10/500,872

Filed: December 6, 2004

For: FERMENTATION OF PENTOSE SUGARS

Group Art Unit: 1652

Examiner: Christian L. FRONDA

Confirmation No.: 1317

Washington, D.C.

December 23, 2008

RESPONSE AND AMENDMENT UNDER 37 CFR § 1.111

Honorable Commissioner for Patents
U.S. Patent and Trademark Office
Customer Service Window
Randolph Building, Mail Stop **Amendment**
401 Dulany Street
Alexandria, VA 22314

Dear Sir:

This responds to the Office Action mailed June 24, 2008. A Petition to Extend time for three months (up to and including December 24, 2008), and requisite fee are included.

Submitted with this paper is a Declaration under 37 C.F.R. § 1.132 by Dr. Johannes P. Van Dijken. (the “**Van Dijken Declaration**”) along with an Appendix thereto (partial List of Publications). Also submitted, by request of the Examiner is the Board’s *Ex Parte Porro* decision.

An IDS and List of References cited to accompany this Response and the Van Dijken Declaration were filed (on December 22, 2008), in order to have several documents officially considered by the Examiner. These references are NOT being provided as prior art under §§ 102 or 103, but in support of Applicants’ position that the presently claimed invention complies with § 112, first paragraph and is non-obvious under § 103.

Amendments to the Claims are reflected in the Listing of Claims, which begins on page 2 of this paper.

Remarks begin on page 7 of this paper.